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### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

#### Listing of Claims:

1.-6. (canceled)

7. (previously presented) A device for tempering at least parts of the cross section of sequentially produced rails from the rolling heat and for the subsequent cooling thereof to room temperature, wherein said device consists essentially of

- (a) a roller table comprising rolls for receiving said rails,
- (b) an alignment device for axially aligning the rails,
- (c) a transport device for transporting the rails in transverse direction,
- (d) a hardening device for hardening the rails, said hardening device comprising a manipulator arrangement for manipulating the rails to be hardened,
- (e) a cooling bed for the hardened rails, said cooling bed comprising a deposit region,

wherein said roller table (a) comprises a positioning device for positioning in longitudinal direction the rails which are supplied thereto, said positioning device comprising said alignment device (b), wherein said transport device (c) comprises at least two supporting

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arms that are simultaneously movable between said rolls of said roller table (a), each arm comprising at an end section thereof a rest for supporting said rails, the rests on the supporting arms being capable of being moved in transverse direction from an alignment position in the region of the roller table (a) into said deposit region of said cooling bed (e) and of being raised in such a way that only the rests are above an upper surface of said roller table (a), wherein said hardening device (d) comprises at least two liquid cooling devices and manipulators for moving the rails, said liquid cooling devices being arranged next to one another and essentially parallel to said alignment device (b), and wherein the deposit region of said cooling bed is arranged next to and parallel to the lengthwise extension of said at least two liquid cooling devices.

8. – 10. (canceled)

11. (previously presented) The device of claim 7, wherein said positioning device comprises an electronically controllable device.

12. (previously presented) The device of claim 11, wherein said positioning device comprises an alignment bar.

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13. (previously presented) The device of claim 11, wherein said positioning device comprises a stop.

14. – 20. (canceled)

21. (previously presented) The device of claim 7, wherein each of said supporting arms has one rest arranged thereon.

22. (previously presented) The device of claim 21, wherein said supporting arms originate in the region of the roller table (a).

23. (canceled)

24. (currently amended) A process for tempering at least parts of the cross section of sequentially produced rails ~~selected from running rails and railroad rails~~ from the rolling heat and for subsequently cooling said rails to room temperature, wherein the rails are selected from running rails and railroad rails and said process ~~comprising~~ comprises axially aligning said rails, transporting the rails to a hardening device and treating at least parts of the cross section of the rails therewith, and allowing the rails so treated with the hardening device to cool to room temperature, wherein the residence time in the

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hardening device exceeds the supply frequency of the rails to be tempered and the process is carried out by means of a device which consists essentially of

- (a) a roller table comprising rolls for receiving said rails,
- (b) an alignment device for axially aligning the rails,
- (c) a transport device for transporting the rails in transverse direction,
- (d) said hardening device, comprising a manipulator arrangement for manipulating the rails to be hardened,
- (e) a cooling bed for the hardened rails, said cooling bed comprising a deposit region,

wherein said roller table (a) comprises a positioning device by which the rails supplied thereto are positioned in longitudinal direction, said positioning device comprising said alignment device (b), wherein said transport device (c) comprises at least two supporting arms that are simultaneously movable between said rolls of said roller table (a), each arm comprising at an end section thereof a rest for supporting said rails, the rests on the supporting arms being moved in transverse direction from an alignment position in the region of the roller table (a) into said deposit region of said cooling bed (e) and being raised in such a way that only the rests are above an upper surface of said roller table (a), wherein said hardening device (d) comprises at least two liquid cooling devices and manipulators for moving the rails, said liquid cooling devices being arranged next to one another and essentially parallel to said alignment device (b), and wherein the deposit

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region of said cooling bed is arranged next to and parallel to the lengthwise extension of said at least two liquid cooling devices.

25. (previously presented) The process of claim 24, wherein said rails have a length of greater than 50 m.

26. (previously presented) The process of claim 24, wherein at least a head of a rail is hardened.

27. (new) The process of claim 24, wherein the rails comprise railroad rails.

28. (new) The device of claim 7, wherein the rails are selected from railroad rails and running rails.

29. (new) The device of claim 7, wherein the rails comprise railroad rails.

30. (new) The device of claim 29, wherein the device has dimensions which render it capable of processing rails having a length of greater than 50 m.

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31. (new) The device of claim 29, wherein said liquid cooling devices comprise submersion basins.

32. (new) The device of claim 31, wherein said submersion basins comprise stops for leveling and aligning the rails.

33. (new) The device of claim 32, wherein said stops are at least one of horizontally and vertically arranged.

34. (new) The device of claim 33, wherein the device further comprises a holding-down device for pressing down the rails against said stops.

35. (new) The device of claim 31, wherein each submersion basin has manipulators assigned to it.

36. (new) The device of claim 35, wherein each of said manipulators is capable of at least one of taking the rails off said rests of said transport device (c), introducing said rails into a submersion basin, lifting said rails out of a submersion basin and placing said rails on said rests.

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37. (new) The device of claim 29, wherein said transport device (c) is arranged in the region of the cooling bed (e).